

DEP & REF  
Room 307

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY:

Date:

2004 AUG 13 11:36



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:  
Mariko Miyashita, *et al.*

Conf. No.:	3194	:	Group Art Unit:	1641
Appln. No.:	09/420,719	:	Examiner:	K. Padmanabhan
Filing Date:	October 20, 1999	:	Attorney Docket No.:	10059-308 (P21541-01)
Title:	SAMPLE TREATING KIT AND SAMPLE TREATING METHOD USING THE SAME FOR ANALYSIS WITH A BIOSENSOR			

**REQUEST FOR REFUND**

Applicants' attorney submitted a Notice of Appeal with a Petition for an Extension of Time (on July 6, 2004). The total amount of fees paid was \$310.00.

However, the applicants had previously submitted an RCE (filed June 7, 2004). Because this RCE had been accepted by the Examiner, the subsequent filing of the Notice of Appeal and the Petition for Extension of Time was in error and unnecessary. The error was made in good faith. Accordingly, we therefore respectfully request of the fee of \$310.00 and that such fee be credited to deposit account number 50-1017 (Billing No.: 210059.0308).

Respectfully submitted,

MARIKO MIYASHITA, *et al.*

5 august 2004  
(Date)

By:

KRISTYNE A. BULLOCK

Registration No. 42,371

AKIN GUMP STRAUSS HAUER & FELD LLP

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103-7013

Telephone: 215-965-1200

Direct Dial: 215-965-1348

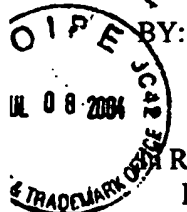
Facsimile: 215-965-1210

E-Mail: kbullock@akingump.com

KAB:cmb  
7245736

BEST AVAILABLE COPY

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.



BY:

*[Signature]*

Date:

*July 6, 2004*

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re Patent Application of:  
Mariko Miyashita, *et al.*

Conf. No.: 3194

: Group Art Unit: 1641

Appln. No.: 09/420,719

: Examiner: K. Padmanabhan

Filing Date: October 20, 1999

: Attorney Docket No.: 10059-308  
(P21541-01)

Title: SAMPLE TREATING KIT AND SAMPLE TREATING METHOD USING THE  
SAME FOR ANALYSIS WITH A BIOSENSOR

**PETITION FOR EXTENSION OF TIME UNDER (37 C.F.R. § 1.136(A))**

Applicants in the above-identified application hereby petition for a second month extension of time for response to and including July 6, 2004 for responding to the Office Action mailed February 5, 2004 (July 5<sup>th</sup> being a holiday) and the Notice of Non-Complaint Amendment. A Petition and fee (\$110.00) for the first month extension of time were submitted with the Amendment After Final, filed June 6, 2004.

Responses to the Office Action (paper No. 26) and to the Notice of Non-Complaint Amendment accompany this Petition.

☒ [X] A check in the amount of \$310.00 is enclosed herewith (\$420-\$110).

☒ [X] The Commissioner is hereby authorized to charge Deposit Account No. 50-1017 (Billing No. 210059.0309) as noted below. A duplicate copy is enclosed.

☐ [ ] Extension fee in the amount of \$\_\_\_\_.00

☒ [X] Any deficiencies or overpayments in the above-calculated fee.

Adjustment date: 09/17/2004 EEKUBAY1  
07/12/2004 SSESHE1 00000115 09420719  
02 FC:1252 -310.00 OP

Repln. Ref: 09/17/2004 EEKUBAY1 0009222700  
DAH:501017 Name/Number:09420719  
FC: 9204 \$310.00 CR

**BEST AVAILABLE COPY**

07/12/2004 SSESHE1 00000115 09420719  
02 FC:1252 310.00-OP